



REDACTED - FOR PUBLIC INSPECTION
Filed Via Electronic Comment Filing System

June 23, 2017

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Connect America Fund, WC Docket No. 14-58, 47 CFR § 54.313 Annual Reporting Requirements for High-Cost Recipients (Form 481)

Dear Ms. Dortch:

Attached please find Mescalero Apache Telecom Inc.'s (MATI, SAC 491231) high-cost support recipient annual report pursuant to 47 CFR § 54.313 (Form 481).

MATI is filing certain financial information, reported pursuant to 47 CFR §54.313(f)(2), as confidential under the March 22, 2016 Protective Order (DA 16-296). Pursuant to that Order, each page of this filing that contains confidential information has been marked "REDACTED - FOR PUBLIC INSPECTION." The non-redacted version of this information will be filed under separate cover per the Protective Order's directives. As such, MATI will request that the non-redacted version of its submission be withheld from public inspection.

If you have any questions about this filing, please contact the undersigned.

Sincerely,

Zachary Cochran
Senior Client Manager
(719)531-6342

Attachment

**FCC Form 481 - Carrier Annual Reporting
Data Collection Form**FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	491231
<015>	Study Area Name	MESCALERO APACHE
<020>	Program Year	2018
<030>	Contact Name: Person USAC should contact with questions about this data	Godfrey Enjady
<035>	Contact Telephone Number: Number of the person identified in data line <030>	5754644039 ext.
<039>	Contact Email Address: Email of the person identified in data line <030>	genjady@matinetworks.net
	Form Type	54.313 and 54.422

<010>	Study Area Code	491231
<015>	Study Area Name	MESCALERO APACHE
<020>	Program Year	2018
<030>	Contact Name - Person USAC should contact regarding this data	Godfrey Enjady
<035>	Contact Telephone Number - Number of person identified in data line <030>	5754644039 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetetworks.net

<210> For the prior calendar year, were there any reportable voice service outages? No

Page 2

**(300) Unfulfilled Service Request
Data Collection Form**

 FCC Form 481
 OMB Control No. 3060-0986/OMB Control No. 3060-0819
 July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetworks.net

<300> Unfulfilled service request (voice)

0

<310> Detail on attempts (voice)

Name of Attached Document

<320> Unfulfilled service request (broadband)

0

<330> Detail on attempts (broadband)

Name of Attached Document

(400) Number of Complaints per 1,000 customers
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<035>	Contact Telephone Number - Number of person identified in data line <030>	5754644039 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetworks.net
<400>	Select from the drop-down list to indicate how you would like to report voice complaints (zero or greater) for voice telephony service in the prior calendar year for each service area in which you are designated an ETC for any facilities you own, operate, lease, or otherwise utilize.	Offered only fixed voice
<410>	Complaints per 1000 customers for fixed voice	0 . 0
<420>	Complaints per 1000 customers for mobile voice	
<430>	Select from the drop-down list to indicate how you would like to report end-user customer complaints (zero or greater) for broadband service in the prior calendar year for each service area in which you are designated an ETC for any facilities you own, operate, lease, or otherwise utilize.	Offered only fixed broadband
<440>	Complaints per 1000 customers for fixed broadband	0 . 0
<450>	Complaints per 1000 customers for mobile broadband	

**(500) Compliance With Service Quality Standards and Consumer Protection Rules
Data Collection Form**FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	genjadyematinetworks.net
<500>	Certify compliance with applicable service quality standards and consumer protection rules	Yes
491231NM510 .pdf		
<510>	Descriptive document for Service Quality Standards & Consumer Protection Rules Compliance	
<515>	Certify compliance with applicable minimum service standards	

**(600) Functionality in Emergency Situations
Data Collection Form**

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetworks.net
<600>	Certify compliance regarding ability to function in emergency situations	Yes
<610>	Descriptive document for Functionality in Emergency Situations	491231NM610.pdf

<010>	Study Area Code	491231
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See attached worksheet

(800) Operating Companies

Data Collection Form

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

<010>	Study Area Code	491231
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<039>	Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetworks.net
<810>	Reporting Carrier	Mescalero Apache Telecom, Inc.
<811>	Holding Company	Not Applicable
<812>	Operating Company	Mescalero Apache Telecom, Inc.

[illegible]

(900) Tribal Lands Reporting
Data Collection Form

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 July 2013

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<900> Does the filing entity offer tribal land services? (Y/N) Yes

<910> Tribal Land(s) on which ETC Serves

Mescalero Apache Indian Reservation

<920> Tribal Government Engagement Obligation

491231NM920.pdf

<921>

<922> Feasibility and sustainability planning;
 <923> Marketing services in a culturally sensitive manner;
 <924> Compliance with Rights of way processes
 <925> Compliance with Land Use permitting requirements
 <926> Compliance with Facilities Siting rules
 <927> Compliance with Environmental Review processes
 <928> Compliance with Cultural Preservation review processes
 <929> Compliance with Tribal Business and Licensing requirements.

Yes
Yes
Yes
Yes
Yes
Yes
Yes
Yes

**(1000) Voice and Broadband Service Rate Comparability
Data Collection Form**

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

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<039>	Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetworks.net

<1000> Voice services rate comparability certification Yes

<1010> Attach detailed description for voice services rate comparability compliance

Name of Attached Document

<1020> Broadband comparability certification No

<1030> Attach detailed description for broadband comparability compliance

491231NM1030.pdf

Name of Attached Document

**(1100) No Terrestrial Backhaul Reporting
Data Collection Form**FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetworks.net

<1100> Certify whether terrestrial backhaul options exist (Y/N)

Yes

<1130>

(1200) Terms and Condition for Lifeline Customers
Lifeline
Data Collection Form

FCC Form 481
 OMB Control No. 3060-0986/OMB Control No. 3060-0819
 July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetworks.net

<1210> Terms & Conditions of Voice Telephony Lifeline Plans

491231NM1210.pdf

<1220> Link to Public Website

HTTP

- <1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers, ☒
- <1222> Details on the number of minutes provided as part of the plan, ☒
- <1223> Additional charges for toll calls, and rates for each such plan. ☒

(2005) Price Cap Carrier Additional Documentation

FCC Form 481

Data Collection Form

OMB Control No. 3060-0986/OMB Control No. 3060-0819

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

July 2013

<010>	Study Area Code	491231
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Select the appropriate responses below (Yes, No, Not Applicable) to note compliance as a recipient of Incremental High Cost support, High Cost support to offset access charge reductions, and Connect America Phase II support as set forth in 47 CFR § 54.313(b),(c),(d),(e). The information reported on this form and in the documents attached below is accurate.

Incremental Connect America Phase I reporting

<2011> 3rd Year Certification 47 CFR §54.313(b)(1)(ii) - Note that for the July 2017 certification, this applies to Round 2 recipients of Incremental Support.	<input style="width: 100px; height: 20px;" type="text"/>	
<2022> Recipient certifies, representing year three after filing a notice of acceptance of funding pursuant to 54.312(c), that the locations in question are not receiving support under the Broadband Initiatives Program or the Broadband Technology Opportunities Program for projects that will provide broadband with speeds of at least 4 Mbps/1Mbps - 54.313(b)(2)(i). Round 2 recipients only.	<input style="width: 100px; height: 20px;" type="text"/>	
<2023> The attachment on line 2024 includes a statement of the total amount of capital funding expended in the previous year in meeting Connect America Phase I deployment obligations, accompanied by a list of census blocks indicating where funding was spent. This covers year three - 54.313(b)(2)(ii). Round 2 recipients only.	<input style="width: 100px; height: 20px;" type="text"/>	
<2024A> Round 2 Recipient of Incremental Support?	<input style="width: 100px; height: 20px;" type="text"/>	<input style="width: 200px; height: 60px;" type="text"/>
<2024B> Attach list of census blocks indicating where funding was spent in year three - 54.313(b)(2)(ii). Round 2 recipients only.	Name of Attached Document Listing Required Information	
<2025A> Round 2 Recipient of Incremental Support?	<input style="width: 100px; height: 20px;" type="text"/>	<input style="width: 200px; height: 60px;" type="text"/>
<2025B> Attach geocoded Information for Phase I milestone reports (Round 2 for year three) - Connect America Fund , WC Docket 10-90, Report and Order, FCC 13-73, paragraph 35 (May 22, 2013).	Name of Attached Document Listing Required Information	
<2015> 2016 and future Frozen Support Certification 47 CFR § 54.313(c)(4)	<input style="width: 100px; height: 20px;" type="text"/>	

(2005) Price Cap Carrier Additional Documentation

FCC Form 481

Data Collection Form

OMB Control No. 3060-0986/OMB Control No. 3060-0819

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

July 2013

Price Cap Carrier Connect America ICC Support {47 CFR § 54.313(d)}

<2016> Certification support used to build broadband

Connect America Phase II Reporting {47 CFR § 54.313(e)}

<2017A> Connect America Fund Phase II recipient?

<2017C> Total amount of Phase II support, if any, the price cap carrier used for capital expenditures in 2016.

<2018> Attach the number, names, and addresses of community anchor institutions to which the carrier newly began providing access to broadband service in the preceding calendar year - 54.313(e)(1)(ii)(A)

Name of Attached Document Listing
Required Information

<2019> Recipient certifies that it bid on category one telecommunications and Internet access services in response to all FCC Form 470 postings seeking broadband service that meets the connectivity targets for the schools and libraries universal service support program for eligible schools and libraries located within any area in a census block where the carrier is receiving Phase II model-based support, and that such bids were at rates reasonably comparable to rates charged to eligible schools and libraries in urban areas for comparable offerings - 54.313(e)(1)(ii)(C)

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Select from the drop down menu or check the boxes below to note compliance with 54.313(f)(1). Privately held carriers must ensure compliance with the financial reporting requirements set forth in 47 CFR 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.

Progress Report on 5 Year Plan			
(3009)	Carrier certifies to 54.313(f)(1)(iii)	Yes - Attach Certification	
(3010A)	Certification of Public Interest Obligations {47 CFR § 54.313(f)(1)(i)}	491231NM3010.pdf	
(3010B)	Please Provide Attachment	Name of Attached Document Listing Required Information	
(3012A)	Community Anchor Institutions {47 CFR § 54.313(f)(1)(ii)}	No - No New Community Anchors	
(3012B)	Please Provide Attachment	Name of Attached Document Listing Required Information	
(3013)	Is your company a Privately Held ROR Carrier {47 CFR § 54.313(f)(2)}	(Yes/No)	<input checked="" type="radio"/> <input type="radio"/>
(3014)	If yes, does your company file the RUS annual report	(Yes/No)	<input checked="" type="radio"/> <input type="radio"/>
Please check these boxes to confirm that the attached PDF, on line 3017, contains the required information pursuant to § 54.313(f)(2) compliance requires:			
(3015)	Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers)	<input checked="" type="checkbox"/>	
(3016)	Document(s) with Balance Sheet, Income Statement and Statement of Cash Flows	<input checked="" type="checkbox"/>	
(3017)	If the response is yes on line 3014, attach your company's RUS annual report and all required documentation	Name of Attached Document Listing Required Information	491231NM3017.pdf
(3018)	If the response is no on line 3014, is your company audited?	(Yes/No)	<input type="radio"/> <input type="radio"/>
If the response is yes on line 3018, please check the boxes below to confirm your submission on line 3026 pursuant to § 54.313(f)(2), contains:			
(3019)	Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers	<input type="checkbox"/>	
(3020)	Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows	<input type="checkbox"/>	
(3021)	Management letter and/or audit opinion issued by the independent certified public accountant that performed the company's financial audit.	<input type="checkbox"/>	
If the response is no on line 3018, please check the boxes below to confirm your submission on line 3026 pursuant to § 54.313(f)(2), contains:			
(3022)	Copy of their financial statement which has been subject to review by an independent certified public accountant; or 2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers	<input type="checkbox"/>	
(3023)	Underlying information subjected to a review by an independent certified public accountant	<input type="checkbox"/>	
(3024)	Underlying information subjected to an officer certification.	<input type="checkbox"/>	
(3025)	Document(s) with Balance Sheet, Income Statement and Statement of Cash Flows	<input type="checkbox"/>	
(3026)	Attach the worksheet listing required information	Name of Attached Document Listing Required Information	

(3005) Rate Of Return Carrier Additional Documentation (Continued)		FCC Form 481
Data Collection Form		OMB Control No. 3060-0986/OMB Control No. 3060-0819
		July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetworks.net

Financial Data Summary

(3027) Revenue	<div></div>
(3028) Operating Expenses	<div></div>
(3029) Net Income	<div></div>
(3030) Telephone Plant In Service(TPIS)	<div></div>
(3031) Total Assets	<div></div>
(3032) Total Debt	<div></div>
(3033) Total Equity	<div></div>
(3034) Dividends	<div></div>

<010>	Study Area Code	491231
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4005 Rural Broadband Experiment

Authorized Rural Broadband Experiment (RBE) recipients must address the certification for public interest obligations, provide a list of newly served community anchor institutions, and provide a list of locations where broadband has been deployed.

Public Interest Obligations – FCC 14-98 (paragraphs 26-29, 78)

Please address Line 4001 regarding compliance with the Commission's public interest obligations. All RBE participants must provide a response to Line 4001.

4001. Recipient certifies that it is offering broadband to the identified locations meeting the requisite public interest obligations consistent with the category for which they were selected, including broadband speed, latency, usage capacity, and rates that are reasonably comparable to rates for comparable offerings in urban areas?

Community Anchor Institutions – FCC 14-98 (paragraph 79)

4003a. RBE participants must provide the number, names, and addresses of community anchor institutions to which they newly deployed broadband service in the preceding calendar year. On this line, please respond (yes – attach new community anchors, no – no new anchors) to indicate whether this list will be provided.

If yes to 4003A, please provide a response for 4003B.

4003b. Provide the number, names and addresses of community anchor institutions to which the recipient newly began providing access to broadband service in the preceding calendar year.

Name of Attached Document Listing Required Information _____

Broadband Deployment Locations – FCC 14-98 (paragraph 80)

4004a. Attach a list of geocoded locations to which broadband has been deployed as of the June 1st immediately preceding the July 1st filing deadline for the FCC Form 481.

Name of Attached Document Listing Required Information _____

4004b. Attach evidence demonstrating that the recipient is meeting the relevant public service obligations for the identified locations. Materials must at least detail the pricing, offered broadband speed and data usage allowances available in the relevant geographic area.

Name of Attached Document Listing Required Information _____

**Certification - Reporting Carrier
Data Collection Form**

 FCC Form 481
 OMB Control No. 3060-0986/OMB Control No. 3060-0819
 July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetworks.net

TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:

Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients	
I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.	
Name of Reporting Carrier: MESCALERO APACHE	
Signature of Authorized Officer: CERTIFIED ONLINE	Date 06/22/2017
Printed name of Authorized Officer: Godfrey Enjady	
Title or position of Authorized Officer: General Manager	
Telephone number of Authorized Officer: 5754644039 ext.	
Study Area Code of Reporting Carrier: 491231	Filing Due Date for this form: 07/03/2017
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

**Certification - Agent / Carrier
Data Collection Form**

 FCC Form 481
 OMB Control No. 3060-0986/OMB Control No. 3060-0819
 July 2013

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<039> Contact Email Address - Email Address of person identified in data line <030>	genjady@matinetworks.net

TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:

Certification of Officer to Authorize an Agent to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier	
I certify that (Name of Agent) is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate.	
Name of Authorized Agent:	
Name of Reporting Carrier:	
Signature of Authorized Officer:	Date:
Printed name of Authorized Officer:	
Title or position of Authorized Officer:	
Telephone number of Authorized Officer:	
Study Area Code of Reporting Carrier:	Filing Due Date for this form:
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

TO BE COMPLETED BY THE AUTHORIZED AGENT:

Certification of Agent Authorized to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier	
I, as agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service support recipients on behalf of the reporting carrier; I have provided the data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the information reported herein is accurate.	
Name of Reporting Carrier:	
Name of Authorized Agent Firm:	
Signature of Authorized Agent or Employee of Agent:	Date:
Name of Authorized Agent Employee:	
Title or position of Authorized Agent or Employee of Agent:	
Telephone number of Authorized Agent or Employee of Agent:	
Study Area Code of Reporting Carrier:	Filing Due Date for this form:
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

Attachments

(700) Price Offerings including Voice Rate Data Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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OMB Control No. 3060-0986/OMB Control No. 3060-0819

OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<701>	Residential Local Service Charge Effective Date	1/1/2017
<702>	Single State-wide Residential Local Service Charge	

<703>

[illegible]

(710) Broadband Price Offerings Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

<015>	Study Area Name	MESCALERO	APACHE
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<030>	Contact Name - Person USAC should contact regarding this data	Godfrey Enjady
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<039> - Contact Email Address - Email Address of person identified in data line <030> genjady@matinetworks.net

<711>	<a1>	<a2>	<b1>	<b2>	<c>	<d1>	<d2>	<d3>	<d4>
-------	------	------	------	------	-----	------	------	------	------

[illegible]

Mescalero Apache Telecom, Inc. (SAC 491231)

Statement Regarding Compliance with Service Quality Standards and Consumer Protection Rules

47 CFR § 54.313(a)(5)

Form 481, Line 510

Mescalero Apache Telecom, Inc. (MATI) is an incumbent local exchange carrier operating in the state of New Mexico, and is an eligible telecommunications carrier (ETC) designated by the New Mexico Public Regulation Commission (NMPRC). As such, MATI is subject to the regulatory authority of the NMPRC and operates under the relevant rules and laws of the state of New Mexico.

MATI is subject to the service quality standards and consumer protection standards adopted by the NMPRC and that are applicable to ILECs in the state of New Mexico. These standards are contained in Title 17, Chapter 11 of the New Mexico Administrative Code. Consumer protection standards are also contained in MATI's local tariff that is on file with the NMPRC.

Apart from effective internal procedures and operations, MATI ensures compliance with all applicable service quality and consumer protection rules through NMPRC enforcement, which entails the operation of an effective customer complaint process. MATI is required to respond to customer complaints and other service quality-related inquiries from the NMPRC in a reasonable time frame. MATI consistently meets or exceeds all NMPRC-adopted standards, and reports to this effect via all required NMPRC processes.

Finally, MATI has established internal procedures to ensure compliance with the Federal Communications Commission's Customer Proprietary Network Information (CPNI) rules that include, but are not limited to, periodic employee training and maintenance of written company CPNI procedures. MATI certifies its compliance with the Commission's CPNI rules by making annual filings as required in 47 CFR § 64.2009(e).

Mescalero Apache Telecom, Inc. (SAC 491231)

Statement Regarding the Ability to Function in Emergency Situations

47 CFR § 54.313(a)(6)

Form 481, Line 610

Mescalero Apache Telecommunications, Inc. (MATI) is an incumbent local exchange carrier operating in the state of New Mexico, and is an eligible telecommunications carrier (ETC) designated by the New Mexico Public Regulation Commission (NMPRC). As such, MATI is subject to the regulatory authority of the NMPRC and operates under the relevant rules and laws of the state of New Mexico.

MATI has batteries and portable generators capable of providing the required level of backup power, and that can be deployed as necessary to MATI's switching and remote sites. MATI's network is capable of rerouting traffic around damaged facilities, although this ability is not absolute and may be limited in certain circumstances. However, MATI follows all industry standard practices in ensuring its network remains functional during different types of emergency situations.

Mescalero Apache Telecom, Inc. (SAC 491231)

Tribal Government Engagement Obligation

47 CFR § 54.313(a)(9)

Form 481, Line 920

Mescalero Apache Telecommunications, Inc. (MATI) is a Tribally owned incumbent local exchange carrier operating on the Mescalero Apache Indian Reservation. As a Tribally owned company MATI's primary purpose is to make sure that Tribal customers receive quality telecommunications service.

MATI management engages Tribal government once every other month during board meetings. Those meetings are all focused on MATI's primary purpose of providing telecommunications service on Tribal lands. Some of the topics discussed in the board meetings include the following:

- Needs assessment and deployment planning with a focus on Tribal community anchor institutions;
- Feasibility and sustainability planning;
- Marketing services in a culturally sensitive manner;
- Compliance with Rights of way processes;
- Compliance with Land Use permitting requirements;
- Compliance with Facilities Siting rules;
- Compliance with Environmental Review processes;
- Compliance with Cultural Preservation review processes;
- Compliance with Tribal Business and Licensing requirements;
- Public Safety
- Education
- MATI's involvement community improvement projects

Mescalero Apache Telecom, Inc. (SAC 491231)
Statement Regarding Broadband Rate Comparability
47 CFR § 54.313(a)(12)
2016 FCC Form 481, Line 1030

Mescalero Apache Telecom, Inc. (MATI) states the following as to the requirements contained in 47 CFR § 54.313(a)(12) regarding the reasonable comparability of residential broadband rates. This rule requires that eligible telecommunications carriers (ETCs) provide *“a certification that the pricing of a service that meets the Commission's broadband public interest obligations is no more than the applicable benchmark to be announced annually in a public notice issued by the Wireline Competition Bureau, or is no more than the non-promotional price charged for a comparable fixed wireline service in urban areas in the states or U.S. Territories where the eligible telecommunications carrier receives support.”*

MATI notes that this rule, adopted in the FCC's December 18, 2014 Report and Order in WC Docket Nos. 10-90, 14-58, and 14-192 (FCC 14-190) is effective for the first time with the 2016 Form 481 ETC Annual Report. Furthermore, the Wireline Competition Bureau issued a Public Notice (DA 16-362, rel. April 5, 2016) that contains, *inter alia*, the process for determining the applicable reasonably comparable benchmark rates. ETCs are to certify on line 1020 of the 2016 Form 481 that one broadband service offering that satisfies all of the Commission's requirements, including that the service be offered throughout the high-cost support recipient's supported area or made available upon request be priced at or below the relevant benchmark.

While MATI offers, or will offer upon reasonable request, fixed wireline retail residential broadband internet access service meeting the Commission's requirements (10/1 mbps, 150 gb of monthly capacity), it does not and cannot do so at rates at or below the relevant benchmarks. MATI's retail rate for residential 10/1 unlimited broadband internet access service is \$99.99 per month, while the benchmark rate according to the 2016 Public Notice is \$75.20. In addition, MATI has considered the *“non-promotional price charged for a comparable fixed wireline service in urban areas in the states or U.S. Territories”* in New Mexico. MATI's rate is higher due to many factors, including the high cost, remote tribal areas that it serves, the relatively high middle mile costs necessary to connect MATI's customers to the Internet, and the sparse population in its tribal serving area.

MATI also notes that, as an ILEC ETC, it does not provide retail Internet access services of any kind directly to end user customers; rather, MATI provides wholesale service to its Internet Service Provider (ISP) affiliate, which then adds services to the broadband “pipe” MATI provides in order to provide broadband Internet access service to individual residential customers. Thus, MATI, as the ILEC, does not control the costs incurred by the ISP or the prices charged to the end user.



Mescalero Apache Telecom Inc.
PO Box 229, Mescalero, NM 88340
Office 575/464-4039 Fax 575/464-0311



Federal Lifeline Re-Certification Form

Customer Name _____ **Date of Birth:** _____

Please print clearly

Social Security Number _____ **Telephone Number:** _____

Physical Address: _____ **Permanent** _____ **Temporary** _____

If temporary must verify residential address every 90 days

Billing Address: _____
If different from physical address

Lifeline is a federal benefit and that willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment or being barred from the program. Lifeline is a non-transferable benefit and may not be transferred to any other person.

You must re-certify within 30 days from the date of this letter, should you fail to re-certify the lifeline credits will be removed. Please check the appropriate box(es), complete the remainder of the following Eligibility Certification Form, and return it to the address listed above; I understand that proof of my participation will be verified from the National Lifeline Accountability Database.

I certify under the penalty of perjury that I am not receiving lifeline service from another provider (wireless or wireline). I also certify under penalty of perjury that I currently receive benefits from the following program (check the box next to the program that applies):

- | | |
|--|--|
| <input type="checkbox"/> Federal Public Housing Assistance or Section 8 | <input type="checkbox"/> BIA General Assistance Program |
| <input type="checkbox"/> Temporary Assistance for Needy Families | <input type="checkbox"/> National School Lunch Program (<i>Free meals</i>) |
| <input type="checkbox"/> Supplemental Security Income (SSI) (<i>cannot use Social Security Income</i>) | |
| <input type="checkbox"/> Head Start (<i>Only those meeting its income qualifying standard</i>) | <input type="checkbox"/> Food stamps |
| <input type="checkbox"/> Medicaid (<i>cannot use Medicare</i>) | <input type="checkbox"/> LIHEAP |
| <input type="checkbox"/> Food Distribution Program on Indian Reservations (FDPIR) | |
| <input type="checkbox"/> Income at or below 135% of the Federal Poverty Guidelines | <input type="checkbox"/> Number of Household Member _____ |

Family Size	Annual Income	Family Size	Annual Income
1	\$ 15,080.00	4	\$ 31,118.00
2	\$ 20,426.00	5	\$ 36,464.00
3	\$ 25,772.00	6	\$ 41,810.00

For each additional person, add \$5,346.00

Please read and initial each of the following lines to certify your participation:

- ☐ Applicants applying for lifeline under the income criteria must submit document of proof of household income to determine eligibility (prior year's tax return, current paycheck stubs(3 months), SSI statement of benefits, etc.)
- ☐ I further agree to notify MATI immediately if I cease to participate in the program listed above.
- ☐ I understand that it is my responsibility, as the customer to re-certify for lifeline every 12 months.
- ☐ Only one lifeline service is available per household

CUSTOMER SIGNS UNDER PENALTY OF PERJURY THAT THE INFORMATION OF ELIGIBILITY IS TRUE AND ACCURATE TO THE BEST OF THEIR KNOWLEDGE

Authorized Signer's Signature

X

Date

TITLE 17 PUBLIC UTILITIES AND UTILITY SERVICES
CHAPTER 11 TELECOMMUNICATIONS
PART 11 LIFELINE AND LINKUP BENEFITS

17.11.11.1 ISSUING AGENCY: New Mexico Public Regulation Commission.
[17.11.11.1 NMAC - N, 11-15-10]

17.11.11.2 SCOPE: This rule applies to all entities that have been designated by the commission as eligible telecommunications carriers and that may receive disbursements from the state rural universal service fund or the federal universal service fund.
[17.11.11.2 NMAC - N, 11-15-10]

17.11.11.3 STATUTORY AUTHORITY: Sections 8-8-4, 63-9C-4 and 63-9H-6 NMSA 1978.
[17.11.11.3 NMAC - N, 11-15-10]

17.11.11.4 DURATION: Permanent.
[17.11.11.4 NMAC - N, 11-15-10]

17.11.11.5 EFFECTIVE DATE: November 15, 2010, unless a later date is cited at the end of a section.
[17.11.11.5 NMAC - N, 11-15-10]

17.11.11.6 OBJECTIVE: The purpose of this rule is to ensure that each eligible telecommunications carrier designated by the commission provides lifeline and link-up benefits intended to make basic telecommunications services available to qualifying individuals and households under specified public assistance programs or income-based criteria. Lifeline and linkup have also been known in New Mexico as low-income telephone assistance programs or "LITAP."
[17.11.11.6 NMAC - N, 11-15-10]

17.11.11.7 DEFINITIONS:

- A. Applicant** means an eligible customer of an eligible telecommunications carrier.
 - B. Carrier** means an entity that provides intrastate retail public telecommunications services or comparable retail alternative services in New Mexico.
 - C. Eligible telecommunications carrier ("ETC")** means a carrier that has been designated by the commission as eligible to receive disbursement from the state rural universal service fund or the federal universal service fund.
 - D. Federal poverty guidelines** means the poverty guidelines issued each year by the federal health and human services department and published in the federal register.
 - E. Income** means all income actually received by all members of the household. This includes salary before deductions of taxes, public assistance benefits, inheritances, alimony, child support payments, workers' compensation benefits, gifts, lottery winnings, and the like. The only exceptions are student financial aid, military housing and cost-of-living allowances, irregular income from occasional small jobs such as baby-sitting or lawn mowing, and the like.
 - F. Responsible agency** means the state government agency or other entity designated by the commission to administer the certification, verification and continued verifications of lifeline enrollment.
- [17.11.11.7 NMAC - N, 11-15-10]

17.11.11.8 ELIGIBILITY REQUIREMENTS:

- A. Program-Based Criteria.** All ETCs shall provide lifeline and linkup benefits to any applicant who self-certifies, under penalty of perjury, that his or her household is eligible for public assistance under one or more of the following programs:
 - (1) temporary assistance to needy families (TANF);
 - (2) food stamps;
 - (3) low income home energy assistance program (LIHEAP);
 - (4) medicaid;
 - (5) supplemental security income;
 - (6) national school lunch program; or
 - (7) federal public housing assistance.
- B. Income Based Criteria.** All ETCs shall provide lifeline and linkup benefits to any applicant who certifies, with supporting documentation and under penalty of perjury, that his or her household income is at or below 150 percent of the applicable federal poverty guidelines upon annual publication by the U.S. department of health and human services in the federal register.
 - (1) Income-based eligibility is based, in part, on household size. Therefore, an applicant must certify, under penalty

of perjury, the number of individuals residing in his or her household.

(2) An applicant must certify, under penalty of perjury, that the documentation supporting income-based certification accurately represents the applicant's annual household income. The following documents, or any combination of these documents, are acceptable to support certification based upon income:

- (a) prior year's state, federal or tribal tax returns;
- (b) current year-to-date earnings statement from an employer or three consecutive months of paycheck stubs;
- (c) social security administration statement of benefits;
- (d) veteran's administration statement of benefits;
- (e) retirement/pension statement of benefits;
- (f) unemployment/workers' compensation statement of benefits;
- (g) federal or tribal notice of participation in bureau of Indian affairs general assistance; or
- (h) divorce decree or child support wage assignment statement.

C. Application. The application form for participation in lifeline and linkup benefits shall be available from each ETC, the commission's consumer relations division, and the responsible agency, if one has been designated by the commission. Each completed application shall contain the following information, where applicable:

- (1) applicant's name, telephone number and home address;
- (2) the particular public assistance program(s), if applicable, and identification of the ETC that the applicant anticipates will provide service;
- (3) an affirmative statement that the applicant qualifies for lifeline or linkup benefits;
- (4) an affirmative statement under penalty of perjury affirming that the applicant is participating in one of the programs listed in Subsection A of 17.11.11.8 NMAC, or a statement under penalty of perjury affirming that the applicant's household income is at or below 150 percent of the federal poverty guideline; and if the application is based on income criteria, a statement under penalty of perjury that identifies the number of individuals residing in the household and affirms that the documentation presented to support income-based eligibility accurately represents the applicant's household income;
- (5) the following affirmative statement under penalty of perjury that the applicant is not receiving lifeline benefits of any kind on any other telephone or wireless account: "I agree to notify (name of carrier) when I no longer participate in any of the above qualifying public assistance programs or when there has been a change in the size or income level of my household. I certify under penalty of perjury the above information and attached documentation are true and that I and no one else is receiving lifeline benefits at this address, on either a telephone or wireless telephone account"; and
- (6) the applicant's signature.

D. Document Retention. The ETC or responsible agency shall retain eligibility applications for three (3) calendar years.

E. Tribal Land Lifeline and Linkup Benefits. Customers who live on tribal lands and who qualify for state lifeline and linkup benefits based on the program or income criteria set forth in Subsections A and B of 17.11.11.8 NMAC are eligible to receive prescribed federal benefits. Such federal benefits are not within the scope of, nor governed by, this rule. [17.11.11.8 NMAC - N, 11-15-10]

17.11.11.9 CONTINUING ELIGIBILITY:

A. Annual Verification. The continuing eligibility of customers for lifeline benefits shall be verified annually.

B. Verification Methods. The ETC or responsible agency shall verify the continued eligibility of lifeline customers under the program-based and income-based eligibility criteria. The ETC or responsible agency shall establish methods by which program-based and income-based eligibility shall be verified on an annual basis including, but not limited to, self-certification, reviews of state computer data bases, beneficiary audits, income documentation, or the continued eligibility of a statistically valid sample of lifeline customers.

C. Restoration Of Service And Payment Plans. ETCs must restore service for any customer who has had telephone service discontinued for nonpayment of basic service charges, provided that the customer was not a participant in LITAP at the time of discontinuance, but now qualifies. The ETC must also make a reasonable payment arrangement allowing six months for payment for past due basic service charges.

D. Termination Notices and Dispute Resolution. If a customer fails to establish continued eligibility, the ETC or responsible agency shall notify the customer of its intent to discontinue the customer's eligibility and the basis for that decision.

- (1) The eligibility termination notice shall be in writing and shall be delivered to the customer's mailing address.
- (2) The eligibility termination notice must allow the customer at least 60 days to demonstrate continued eligibility consistent with the rule. The customer's participation in lifeline service may not be discontinued during this 60-day period.
- (3) The eligibility termination notice shall include a statement advising the customer of the option to continue local telephone service after termination of lifeline service benefits at the non-discounted rate.
- (4) If the customer fails to provide proof of continued eligibility as required, or the ETC or responsible agency does not accept the customer's proof of continue eligibility, the ETC or responsible agency shall notify the customer in writing of its determination to discontinue the customer's participation in lifeline benefits. The notice shall include instructions for filing an appeal of the determination.

- (5) If the customer disputes the non-eligibility determination, he or she shall notify the ETC or responsible agency.

If the customer is still unable to resolve the dispute, he or she may appeal a non-eligibility determination within sixty (60) days of the date of the notice from the ETC or responsible agency by filing a written notice of appeal with the commission. Lifeline benefits will continue pending an appeal of a non-eligibility determination.

(6) An appeal pursuant to this rule shall be addressed by the commission consistent with the complaint procedures set forth in the commission's Consumer Protection rule (17.11.16 NMAC).
[17.11.11.9 NMAC - N, 11-15-10]

17.11.11.10 LIFELINE AND LINKUP BENEFITS:

A. Benefits. Lifeline benefits provided by ETCs shall consist of basic service, or its functional equivalent, and usage charges, less a discount of not less than \$3.50 and any other lifeline benefits established by the federal communications commission. ETCs shall provide linkup benefits in accordance with the federal linkup program utilizing the eligibility criteria set forth in Subsections A and B of 17.11.11.8 NMAC.

B. Deposits. When customer security deposits are otherwise required, they will be waived for lifeline service customers if the customer voluntarily elects to receive toll blocking.

C. Nonrecurring Charge Waiver. Lifeline customers will receive a waiver of the nonrecurring charge for changing the type of local exchange usage service to lifeline, or changing from flat rate service to message rate service, or vice versa, but only one such waiver shall be allowed during any 12-month period.

D. Termination. Lifeline benefits shall not be terminated for nonpayment of toll service.

E. Restrictions. A lifeline customer may receive lifeline and linkup benefits only for the customer's principal service line. Lifeline and linkup benefits are not available for service lines used for business purposes.

F. Other Services. A lifeline customer will not be required to purchase other services from the ETC, nor prohibited from purchasing other services, either separately or in a bundle with lifeline supported services, unless the customer has failed to comply with the ETC's terms and conditions for those services.

[17.11.11.10 NMAC - N, 11-15-10]

17.11.11.11 FUNDING OF LIFELINE AND LINKUP BENEFITS:

A. Reporting Requirements. All ETCs seeking cost recovery shall submit to the commission a monthly report, on or before the 15th day of each month, containing a description of the ETC's lifeline and linkup benefits. The report shall contain monthly information on:

(1) the foregone revenue resulting from the discounts provided to lifeline customers;

(2) the amounts of administrative, advertising, voucher and other lifeline and linkup expenses, including only those administrative costs borne by the ETCs over and above what they have expended in connection with their federal universal service duties;

(3) interest accrual amounts on lifeline and linkup funds; and

(4) the number of lifeline customers.

B. Cost Recovery. The total cost of providing lifeline service, including the administrative costs of the ETCs as provided at Paragraph (2) of Subsection A of 17.11.11.11 NMAC, and the costs incurred by the responsible agency, shall be recovered and funded from the state rural universal service fund pursuant to 17.11.10 NMAC.

C. ETC Payment. Within thirty (30) days after review and audit of an ETC's monthly report, the administrator of the state rural universal service fund shall disburse an amount equal to the ETC's lifeline and linkup expenses as provided in this rule, plus lifeline discounts up to \$3.50 per lifeline subscriber.

[17.11.11.11 NMAC - N, 11-15-10]

HISTORY OF 17.11.11 NMAC: [RESERVED]

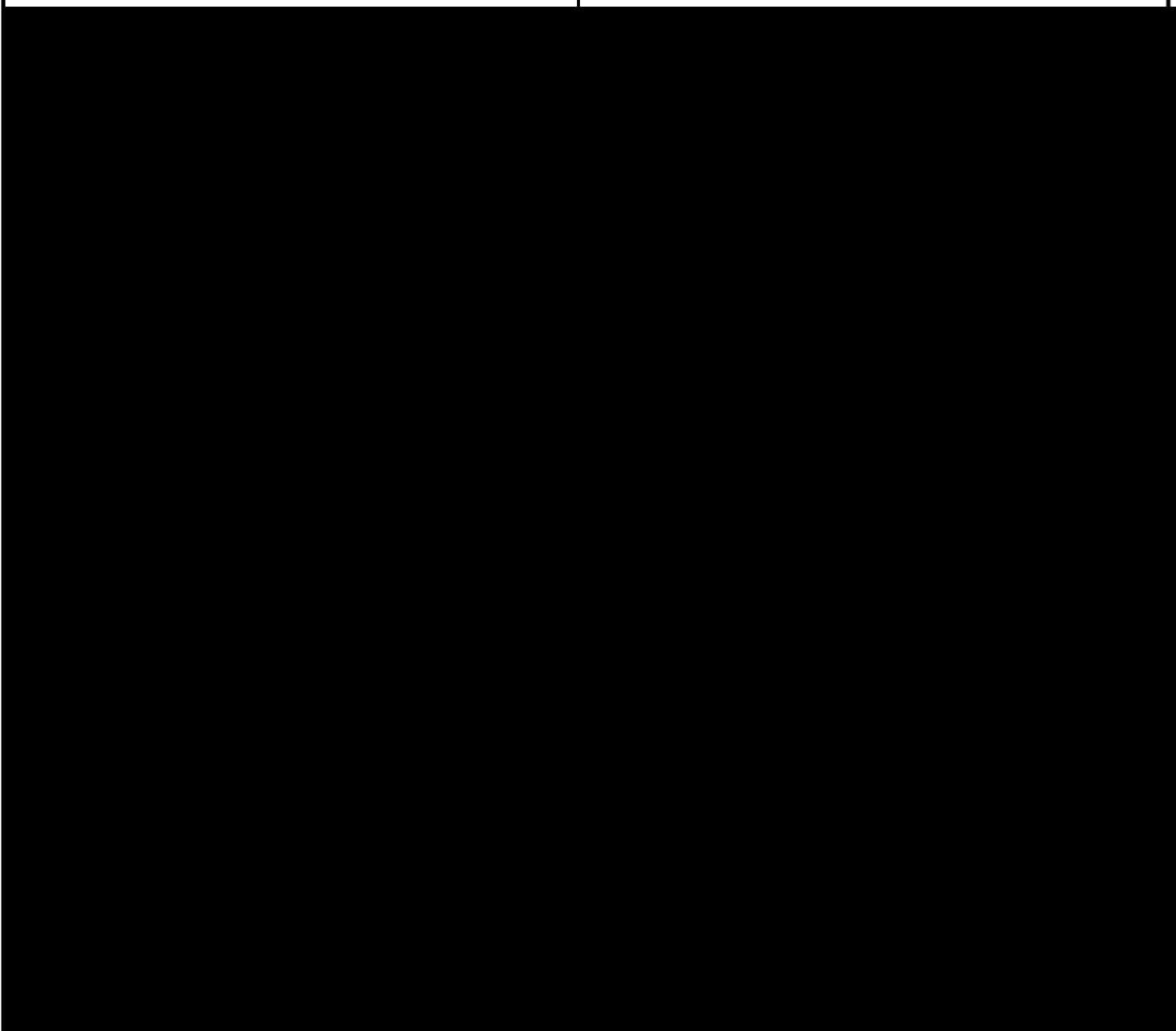
Mescalero Apache Telecom, Inc. (SAC 491231)
Milestone Certification
47 CFR 54.313(f)(1)(i)
Form 481, Line 3010

The Company hereby certifies pursuant to 47 CFR 54.313(f)(1)(i) that it is taking all reasonable steps to provide, upon reasonable request, broadband service at actual speeds of at least 10 mbps downstream and 1 mbps upstream, with latency suitable for real-time applications, including Voice over Internet Protocol, and usage capacity that is reasonably comparable to comparable offerings in urban areas, and that requests for such service are met within a reasonable time frame.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0031. The time required to complete this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

<p>USDA-RUS</p> <p>OPERATING REPORT FOR TELECOMMUNICATIONS BORROWERS</p>	<p><i>This data will be used by RUS to review your financial situation. Your response is required by 7 U.S.C. 901 et seq. and, subject to federal laws and regulations regarding confidential information, will be treated as confidential.</i></p> <p>BORROWER NAME</p> <p>Mescalero Apache Telecom, Inc.</p>
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	BORROWER DESIGNATION
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